



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: 200200611

Date: October 23, 2002

Comments Due: November 22, 2002

In reply, please refer to the Public Notice Number

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## TO WHOM IT MAY CONCERN:

**SUBJECT:** Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to discharge dredged or fill material into North Fork Stony Creek for an erosion control project, as shown in the attached drawings.

**APPLICANT:** Dennis J. Barkley  
925 Kenilworth Ct.  
Walnut Creek, CA 94596

**LOCATION:** The proposed North Fork Stony Creek Bank Erosion project is located at Section 33, Township 23 North, Range 5 West, Tehama County, California. Latitude 39-48-18.1755 Longitude 122-25-39.8954, UTM Zone 10, 548987.26 North, 4406069.84 East.

**PURPOSE:** To stop the erosion occurring on Stony Creek along the applicant's property.

**PROJECT DESCRIPTION:** The applicant proposes to remove a large gravel bar from the center of Stony Creek on his property in order to stop continual erosion and restore the creek to approximately where it was located in 1987. The project would move the material from the center bar and rebuild the stream bank along his property. The project would impact approximately 1.43 acres along 444 lineal feet of Stony Creek.

**AREA DESCRIPTION:** The site is open grassland and oak woodland in Western Tehama County approximately 15 miles West of Orland. The area is undeveloped and currently utilized for grazing livestock. Stony Creek is a wide relatively unvegetated intermittent stream. The riparian vegetation present is dominated by Tamarask an introduced invasive species as well as some native willows. Approximately 1/2 mile downstream of the project location Stony Creek flows into Black Butte Reservoir.

## ADDITIONAL INFORMATION:

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected. Presently unknown cultural resources may be located in the permit area.

This activity would not affect any threatened or endangered species or their critical habitat.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **November 22, 2002**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Masterson Properties, P.O.C. Dennis J. Barkley, telephone 925-947-5999, or Mr. Matthew Kelley, at the letterhead address, telephone 916-557-7724.

Michael J. Conrad, Jr.  
Colonel, Corps of Engineers  
District Engineer

Enclosures: Drawings (7)